

1 THE HONORABLE JOHN H. CHUN
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

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10 FEDERAL TRADE COMMISSION, *et al.*,

CASE NO.: 2:23-cv-01495-JHC

11 Plaintiffs,

**PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITY**

12 v.

13
14 AMAZON.COM, INC., a corporation,

15 Defendant.

1 Pursuant to W.D. Wash. LCR 7(n), Plaintiffs submit for the Court's consideration as
2 supplemental authority in support of their opposition to Amazon's motion to dismiss (Dkt. #149)
3 the attached recently issued decision in *District of Columbia v. Amazon.com, Inc.*, __ A.3d __,
4 No. 22-cv-0657 (D.C. Aug. 22, 2024). The parties have agreed that the *District of Columbia* case
5 involves all or a material part of the same subject matter and all or substantially the same parties
6 as this action. JSR at 39 (Dec. 15, 2023), Dkt. #135. The District of Columbia Court of Appeals
7 held that the District alleged sufficient facts to overcome Amazon's motion to dismiss, including
8 by plausibly alleging anticompetitive effects from the Amazon policies challenged in the
9 District's complaint. *District of Columbia*, slip op. at 15-19, 23-24. The Court of Appeals
10 therefore reversed the trial court's dismissal of the District's complaint.

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13 Dated: August 23, 2024

Respectfully submitted,

14 *s/ Colin M. Herd*

15 SUSAN A. MUSSER (DC Bar # 1531486)
EDWARD H. TAKASHIMA (DC Bar # 1001641)
COLIN M. HERD (NY Reg. # 5665740)

16 Federal Trade Commission
600 Pennsylvania Avenue, NW
17 Washington, DC 20580
Tel.: (202) 326-2122 (Musser)
(202) 326-2464 (Takashima)
18 Email: smusser@ftc.gov
etakashima@ftc.gov
cherd@ftc.gov

19
20 *Attorneys for Plaintiff Federal Trade Commission*

21

22

23

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PLAINTIFFS' NOTICE OF
SUPPLEMENTAL AUTHORITY - 1
No. 2:23-cv-01495

FEDERAL TRADE COMMISSION
600 Pennsylvania Avenue, NW
Washington, DC 20580
(202) 326-2222

1 s/ Michael Jo
2 Michael Jo (admitted *pro hac vice*)
3 Assistant Attorney General, Antitrust Bureau
4 New York State Office of the Attorney
5 General
6 28 Liberty Street
7 New York, NY 10005
8 Telephone: (212) 416-6537
9 Email: Michael.Jo@ag.ny.gov
10 *Counsel for Plaintiff State of New York*

11 s/ Timothy D. Smith
12 Timothy D. Smith, WSBA No. 44583
13 Senior Assistant Attorney General
14 Antitrust and False Claims Unit
15 Oregon Department of Justice
16 100 SW Market St
17 Portland, OR 97201
18 Telephone: (503) 934-4400
19 Email: tim.smith@doj.state.or.us
20 *Counsel for Plaintiff State of Oregon*

21 s/ Rahul A. Darwar
22 Rahul A. Darwar (admitted *pro hac vice*)
23 Assistant Attorney General
24 Office of the Attorney General of Connecticut
165 Capitol Avenue
Hartford, CT 06016
Telephone: (860) 808-5030
Email: Rahul.Darwar@ct.gov
Counsel for Plaintiff State of Connecticut

25 s/ Jennifer A. Thomson
26 Jennifer A. Thomson (admitted *pro hac vice*)
27 Senior Deputy Attorney General
28 Pennsylvania Office of Attorney General
29 Strawberry Square, 14th Floor
30 Harrisburg, PA 17120
31 Telephone: (717) 787-4530
32 Email: jthomson@attorneygeneral.gov
33 *Counsel for Plaintiff Commonwealth of*
34 *Pennsylvania*

35 s/ Alexandra C. Sosnowski
36 Alexandra C. Sosnowski (admitted *pro hac*
37 vice)
38 Assistant Attorney General
39 Consumer Protection and Antitrust Bureau
40 New Hampshire Department of Justice
41 Office of the Attorney General
42 One Granite Place South
43 Concord, NH 03301
44 Telephone: (603) 271-2678
45 Email: Alexandra.c.sosnowski@doj.nh.gov
46 *Counsel for Plaintiff State of New Hampshire*

47 s/ Michael A. Undorf
48 Michael A. Undorf (admitted *pro hac vice*)
49 Deputy Attorney General
50 Delaware Department of Justice
51 820 N. French St., 5th Floor
52 Wilmington, DE 19801
53 Telephone: (302) 683-8816
54 Email: michael.undorf@delaware.gov
55 *Counsel for Plaintiff State of Delaware*

56 s/ Caleb J. Smith
57 Caleb J. Smith (admitted *pro hac vice*)
58 Assistant Attorney General
59 Consumer Protection Unit
60 Office of the Oklahoma Attorney General
61 15 West 6th Street, Suite 1000
62 Tulsa, OK 74119
63 Telephone: (918) 581-2230
64 Email: caleb.smith@oag.ok.gov
65 *Counsel for Plaintiff State of Oklahoma*

66 s/ Christina M. Moylan
67 Christina M. Moylan (admitted *pro hac vice*)
68 Assistant Attorney General
69 Chief, Consumer Protection Division
70 Office of the Maine Attorney General
71 6 State House Station
72 Augusta, ME 04333-0006
73 Telephone: (207) 626-8800
74 Email: christina.moylan@maine.gov
75 *Counsel for Plaintiff State of Maine*

1 s/ Gary Honick

Gary Honick (admitted *pro hac vice*)
2 Assistant Attorney General
Deputy Chief, Antitrust Division
3 Office of the Maryland Attorney General
200 St. Paul Place
4 Baltimore, MD 21202
Telephone: (410) 576-6474
5 Email: Ghonick@oag.state.md.us
Counsel for Plaintiff State of Maryland

6 s/ Michael Mackenzie

7 Michael Mackenzie (admitted *pro hac vice*)
Deputy Chief, Antitrust Division
8 Office of the Massachusetts Attorney General
One Ashburton Place, 18th Floor
9 Boston, MA 02108
Telephone: (617) 963-2369
10 Email: michael.mackenzie@mass.gov
Counsel for Plaintiff Commonwealth of Massachusetts

12 s/ Scott A. Mertens

Scott A. Mertens (admitted *pro hac vice*)
13 Assistant Attorney General
Michigan Department of Attorney General
14 525 West Ottawa Street
Lansing, MI 48933
15 Telephone: (517) 335-7622
Email: MertensS@michigan.gov
16 *Counsel for Plaintiff State of Michigan*

17 s/ Zach Biesanz

Zach Biesanz (admitted *pro hac vice*)
18 Senior Enforcement Counsel
Office of the Minnesota Attorney General
19 445 Minnesota Street, Suite 1400
Saint Paul, MN 55101
20 Telephone: (651) 757-1257
Email: zach.biesanz@ag.state.mn.us
21 *Counsel for Plaintiff State of Minnesota*

22 s/ Lucas J. Tucker

Lucas J. Tucker (admitted *pro hac vice*)
Senior Deputy Attorney General
Office of the Nevada Attorney General
100 N. Carson St.
Carson City, NV 89701
Telephone: (775) 684-1100
Email: LTucker@ag.nv.gov
Counsel for Plaintiff State of Nevada

23 s/ Ana Atta-Alla

Ana Atta-Alla (admitted *pro hac vice*)
Deputy Attorney General
New Jersey Office of the Attorney General
124 Halsey Street, 5th Floor
Newark, NJ 07101
Telephone: (973) 648-3070
Email: Ana.Atta-Alla@law.njoag.gov
Counsel for Plaintiff State of New Jersey

24 s/ Jeffrey Herrera

Jeffrey Herrera (admitted *pro hac vice*)
Assistant Attorney General
New Mexico Office of the Attorney General
408 Galisteo St.
Santa Fe, NM 87501
Telephone: (505) 490-4878
Email: jherrera@nmag.gov
Counsel for Plaintiff State of New Mexico

s/ Zulma Carrasquillo-Almena

Zulma Carrasquillo (admitted *pro hac vice*)
Assistant Attorney General
Antitrust Division
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, Puerto Rico 00901-0192
Telephone: (787) 721-2900
Email: zcarrasquillo@justicia.pr.gov
Counsel for Plaintiff Commonwealth of Puerto Rico

1 s/ Stephen N. Provazza
2 Stephen N. Provazza (admitted *pro hac vice*)
3 Special Assistant Attorney General
4 Chief, Consumer and Economic Justice Unit
5 Department of the Attorney General
6 150 South Main Street
7 Providence, RI 02903
8 Telephone: (401) 274-4400
9 Email: sprovazza@riag.ri.gov
10 *Counsel for Plaintiff State of Rhode Island*

11 s/ Sarah L. J. Aceves
12 Sarah L. J. Aceves (admitted *pro hac vice*)
13 Assistant Attorney General
14 Vermont Attorney General's Office
15 109 State Street
16 Montpelier, VT 05609
17 Telephone: (802) 828-3170
18 Email: sarah.aceves@vermont.gov
19 *Counsel for Plaintiff State of Vermont*

20 s/ Laura E. McFarlane
21 Laura E. McFarlane (admitted *pro hac vice*)
22 Assistant Attorney General
23 Wisconsin Department of Justice
24 Post Office Box 7857
25 Madison, WI 53707-7857
26 Telephone: (608) 266-8911
27 Email: mcfarlanele@doj.state.wi.us
28 *Counsel for Plaintiff State of Wisconsin*